

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

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ALAN D. SCHEINKMAN, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
MARK C. DILLON
RUTH C. BALKIN, JJ.

2018-00058

DECISION & ORDER ON MOTION

In the Matter of Michael E. Herskowitz,
admitted as Michael Elliot Herskowitz,
an attorney and counselor-at-law.

Grievance Committee for the Second,
Eleventh, and Thirteenth Judicial
Districts, petitioner;
Michael E. Herskowitz, respondent.

(Attorney Registration No. 4276903)

Motion by the Grievance Committee for the Second, Eleventh, and Thirteenth Judicial Districts, pursuant to Judiciary Law § 90(4)(f) to suspend the respondent from the practice of law based on his conviction of a serious crime as defined in Judiciary Law § 90(4)(d), and to direct the respondent to immediately apprise the Court upon being sentenced and simultaneously file with the Court a certified record of the judgment of such conviction. The respondent was admitted to the Bar at a term of the Appellate Division of the Supreme Court in the Second Judicial Department on January 12, 2005, under the name Michael Elliot Herskowitz.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is granted and the respondent, Michael E. Herskowitz, admitted as Michael Elliot Herskowitz, is immediately suspended from the practice of law pursuant to Judiciary Law § 90(4)(f) as a result of his conviction of a serious crime, continuing until further order of this Court; and it is further,

ORDERED that the respondent, Michael E. Herskowitz, admitted as Michael Elliot Herskowitz, shall promptly comply with this Court's rules governing the conduct of disbarred or suspended attorneys (*see* 22 NYCRR 1240.15); and it is further,

ORDERED that pursuant to Judiciary Law § 90, during the period of suspension and until further order of this Court, the respondent, Michael E. Herskowitz, admitted as Michael Elliot Herskowitz, is commanded to desist and refrain from (1) practicing law in any form, either as principal or agent, clerk, or employee of another, (2) appearing as an attorney or counselor-at-law before any court, Judge, Justice, board, commission, or other public authority, (3) giving to another an opinion as to the law or its application or any advice in relation thereto, and (4) holding himself out in any way as an attorney and counselor-at-law and it is further,

ORDERED that if the respondent, Michael E. Herskowitz, admitted as Michael Elliot Herskowitz, has been issued a secure pass by the Office of Court Administration, it shall be returned forthwith to the issuing agency and the respondent shall certify to the same in his affidavit of compliance pursuant to 22 NYCRR 1240.15(f); and it is further,

ORDERED that the respondent, Michael E. Herskowitz, admitted as Michael Elliot Herskowitz, is directed to promptly advise the Court upon being sentenced (*see Matter of Delaney*, 87 NY2d 508).

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court